

**STATE OF NEVADA
PERSONNEL COMMISSION**

Carson City at the Legislative Counsel Bureau, 401 S. Carson Street, Room 3138, Carson City, Nevada 89701;
and via video conference in Las Vegas at the Grant Sawyer State Building, Room 4401, 555 East Washington
Avenue.

MEETING MINUTES

Friday, June 10, 2016

COMMISSIONERS PRESENT

IN CARSON CITY: Ms. Katherine Fox, Chair
Mr. David Read, Commissioner

STAFF PRESENT IN CARSON CITY:

Mr. Peter Long, Administrator, DHRM
Mr. Shane Chesney, Senior Deputy Attorney
General
Ms. Tawny Polito, Executive Assistant, DHRM
Ms. Carrie Lee, Administrative Assistant, DHRM
Ms. Lisa Friend, Personnel Analyst, DHRM
Ms. Shelley Blotter, Deputy Administrator, DHRM
Ms. Keisha Smith, Personnel Analyst, DHRM
Ms. Rachel Baker, Personnel Analyst, DHRM

COMMISSIONERS PRESENT

IN LAS VEGAS: Mr. David Sanchez, Commissioner
Mr. Andreas Spurlock, Commissioner
Mr. Gary Mauger, Commissioner

STAFF PRESENT IN

LAS VEGAS: Heather Dapice, Classification Supervisor, DHRM

I. CALL TO ORDER, WELCOME, ROLL CALL, ANNOUNCEMENTS

Chairperson Fox: Opened the meeting at 9:00 a.m. She started by taking roll. A quorum was established. She announced that Peter Long was appointed to Administrator for the State of Nevada, Department of Administration, Division of Human Resource Management.

II. PUBLIC COMMENT NOTICE: Read into record by **Commissioner Sanchez**

No vote or action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken.

Chairperson Fox: Asked if there were any public comments.

Renee Baker: Introduced herself as the Warden at Ely State Prison. She stated she was here to provide public comment for Agenda Item No. VII on behalf of Tammy Moore.

Chairperson Fox: Asked Ms. Baker to hold her comments until that agenda item.

Renee Baker: Asked if that agenda item could be taken out of order due to the long drive back to Ely that she and Ms. Moore have to make.

Chairperson Fox: Stated she did not have an issue with moving the item up on the agenda. She asked the other Commissioners. There was no objection.

MOTION: Motion to move Agenda Item No. VII to after the approval of the minutes.
BY: Commissioner Read
SECOND: Chairperson Fox
VOTE: Motion passed unanimously

III. APPROVAL OF MINUTES OF PREVIOUS MEETINGS.

Action Item

A. March 4, 2016

MOTION: Motion to approve the minutes of the meeting dated December 4, 2015.
BY: Commissioner Read
SECOND: Chairperson Fox
VOTE: Motion passed unanimously

IV. DISCUSSION AND APPROVAL OR DENIAL OF CLASSES AND POSITIONS APPROVED FOR PRE-EMPLOYMENT SCREENING FOR CONTROLLED SUBSTANCES AND REVISIONS TO CLASS SPECIFICATIONS

Action Item

- A. The Nevada Department of Conservation and Natural Resources, Division of Forestry requests the addition of a class to the list approved for pre-employment screening for controlled substances and requests approval of a class specification amendment to include pre-employment screening for controlled substances

1. Class requested for approval of pre-employment screening for controlled substances

9.205 Seasonal Forestry Equipment Operator, PCNs: All

2. Request for approval of class specification change to include pre-employment screening for controlled substances

9.205 Seasonal Forestry Equipment Operator

- B. The Nevada Department of Transportation requests the addition of a position to the list approved for pre-employment screening for controlled substances

6.209 Supervisor III, Associate Engineer, PCN: 018-037

- C. The Nevada System of Higher Education, Business Center North requests the addition of a position to the list approved for pre-employment screening for controlled substances, the approval of removal of classes and positions previously approved for pre-employment screening for controlled substances, and requests approval of class specification amendments to remove pre-employment screening for controlled substances:

1. Position requested for approval of pre-employment screening for controlled substances

7.647 Program Officer II, PCN: 41234

2. Classes and positions requested for removal of pre-employment screening for controlled substances

7.649 Program Officer I, PCN: 41234

10.237 Health Program Specialist I, PCNs: All

10.238 Health Program Specialist II, PCNs: All

10.358 Nurse I, PCNs: All

10.524 Radiation Control Specialist II, PCNs: BCN, UNR – All
Environmental Health & Safety PCNs

10.528 Radiation Control Specialist I, PCNs: BCN, UNR – All
Environmental Health & Safety PCNs

11.522 Safety Representative, Consultation, PCNs: BCN – All

12.376 Family Services Specialist II, PCN: UNR 42051

3. Request for approval of class specification changes to remove pre-employment screening for controlled substances

10.237 Health Program Specialist I

10.238 Health Program Specialist II

10.524 Radiation Control Specialist II

10.528 Radiation Control Specialist I

11.522 Safety Representative, Consultation

12.376 Family Services Specialist II

Chairperson Fox: Took Agenda Item No. IV after Agenda Item No. VII. She noted that they would hear each section and entertain a motion.

Carrie Hughes: Introduced herself as Personnel Analyst with Human Resource Management. She noted, NRS 24.4066 provides for the pre-employment testing for controlled substances of candidates for positions affecting public safety prior to hire. This state statute requires the appointing authority to identify the specific positions that affect public safety. Subject to the approval of this Commission. Additionally, federal courts have indicated that pre-employment testing by public entities may constitute a search within the meaning of the Fourth Amendment. And if so, must be justified by a special need that outweighs a reasonable expectation of privacy.

The Department of Conservation and Natural Resources, Division of Forestry, has requested approval of pre-employment testing of Class Code 9.205, Seasonal Forestry Equipment Operator. We are recommending approval of this class due to incumbents being required to maintain a Commercial Driver's License with a Hazardous Materials Endorsement. The Federal Court of Appeals, for the Ninth Circuit, in a decision regarding what types of job meet the safety sensitive standard required of public entities, used operation of

vehicles to transport hazardous materials, as an example of a type of position that it would be appropriate to pre-employment drug test. Tom Knight from the Division of Forestry is available to answer any questions you may have.

Chairperson Fox: Noted what we would be deciding upon under A would be adding it to the list for pre-employment screen for controlled substances, as well as changes to the class specification to include the language pursuant to NRS 284.4066, positions in this series have been identified as affecting public safety. Persons offered employment must submit to a pre-employment screen for controlled substances. **Carrie Hughes:** Confirmed.

Chairperson Fox: Asked if there were any public comments. Mr. Gordon Cornell asked to make a comment.

Gordon Cornell: Stated: This is a general comment, a general observation. I'm very concerned that the lower level jobs within the State Personnel Department are the ones that are being subjected to drug screening. I do not see any management or mid-level jobs being subjected to the same type of scrutiny. I'm definitely not against drug screening. I think that it's necessary. However, when I see mid-level range jobs not going under the same type of scrutiny, or upper level management jobs also receiving the same types of drug testing. Certainly, I think even political candidates should even be subjected to drug screening.

I'm just very concerned because I see custodial—I actually went on the job list when I was looking for jobs, the bottom six jobs—bottoms six require drug screening. None of the other ones did. I looked at the top six, they didn't require drug screening. Nor any of the middle level jobs also require drug screening. I just think that they need to either test everybody or test no one. That's the reason I showed up today and I do appreciate your time.

Chairperson Fox: Asked if there was additional comment. There was none.

MOTION: Motion to approve IV-A, to add pre-employment screens for controlled substance to Seasonal Forestry Equipment Operator, all PCN numbers, as well as changes to the class specification for Seasonal Forestry Equipment Operator to include pre-employment screening language.
BY: Chairperson Fox
SECOND: Commissioner Read
VOTE: Motion passed unanimously.

Carrie Hughes: Noted, the Nevada Department of Transportation has requested approval of pre-employment testing of Position 018-037, Supervisor III, Associate Engineer. We are recommending approval of this position as the incumbent will be performing duties on or in close proximity to roadways with traffic present. Additionally, positions in the same class have previously been approved for pre-employment drug testing by the Commission. A member of the Department of Transportation is available to answer any questions.

Chairperson Fox: Asked if there were any public comments. There was none.

MOTION: Motion to approve IV-B, to add the position of Supervisor III, Associate Engineer, PCN Number: 018-037 to the list approved for pre-employment screening for controlled substances.
BY: Chairperson Fox
SECOND: Commissioner Read
VOTE: Motion passed unanimously.

Commissioner Spurlock: Noted, thought it was appropriate that the citizen that just made a public comment on the prior item, this might help alleviate his concerns that we're not testing enough supervisory or professional jobs. This is a supervisor and it's a professional engineer. He can obviously do a little more

research or he can ask the Personnel Department and they'll probably explain to him that it has everything to do with safety issues, proximity to dangers, handling of cash, handling of drugs, things like that. I just thought it was interesting that the very next item after he had made his concern known that we were approving a supervisor level and a professional level job because it did fit that criteria. **Chairperson Fox:** Noted the same.

Carrie Hughes: Noted, the Nevada System of Higher Education, Business Center North has requested approval of pre-employment testing of Position 41234, Program Officer II. We are recommending approval of this position as Business Center North has indicated that the position physically handles and transports lab waste; both chemical and biological at multiple campuses. Additionally, Business Center North has indicated that the duties for which the position was approved for pre-employment drug testing by the Commission, when classified as a Program Officer I are still duties of the position.

Business Center North has also requested removal of the requirement for pre-employment testing from the positions listed in Agenda Item IV-C2. We are recommending removal of these positions as these positions have either been moved to another class, have been reclassified as administrative faculty or are no longer being filled by Business Center North.

If approval of pre-employment drug testing is removed from Health Program Specialist I and II, the Radiation Control Specialist I and II, Safety Representative Consultation and Family Services Specialist II positions, we are requesting approval of a change to the appropriate class series specification to reflect the removal of the requirement for pre-employment screening for controlled substances.

Unfortunately, Business Center North does not have a representative available, however, I can answer questions based upon my conversations with Business Center North.

Commissioner Mauger: Asked if some of these positions that are being asked for removal had been before the Board prior to approve the position. **Carrie Hughes:** Confirmed this. **Commissioner Mauger:** Asked, When it says, removal of pre-employment screening, so somewhere you felt that the screening process should be applied to those classes, now you don't. Is there a rationale for that? I mean, some of these you've answered, like a Radiation Control Tech, that's pretty sensitive stuff, so is the other—the other ones on here. I'm just asking what the rationale is to approve in one meeting and then remove them in the next. I understand, on some of these you answered. There's a lot of sensitive areas that maybe I need to hear it again. **Carrie Hughes:** Noted, while she can't speak to each specific position that or class that is mentioned, for example, one of the points that she did discuss with Business Center North was, they pointed out that some of these would still be pre-employment tested. One that they mentioned was the Health Specialist Series. Those were actually, at least one of those positions was moved over into the Microbiologist class code, which is required to have pre-employment testing. What was also pointed out by Business Center North is that those positions that moved into Administrative Faculty, while they don't do pre-employment testing, they do do background checks on these individuals. And of course, some of these are being removed simply because Business Center North is no longer using the positions.

Chairperson Fox: Asked if there were any public comments. There was none.

MOTION: Motion to approve IV-C, to add Program Officer II, PCN: 41234 to the position to pre-employment screen for controlled substance. Additionally, IV-C2, the classes for positions for removal from pre-employment screening because they've been reclassified to another position or no longer used by the Nevada System of Higher Education Business Center north to include: Program Officer I, PCN: 41234; Health Program Specialist I, all PCNs; Health Program Specialist II, all PCNs; Nurse I, Radiation Control Specialist II, Radiation Control Specialist I, Safety Representative and Family Services Specialist. Additionally, appropriate changes will be made to the class specifications to remove the pre-employment screening for the identified classes in 3, Health Program Specialist I,

Health Program Specialist II, Radiation Control Specialist II, Radiation Control Specialist I, Safety Representative, Consultation and Family Services Specialist II.

BY: Chairperson Fox

SECOND: Commissioner Read

VOTE: Motion passed unanimously.

**V. DISUCCSION AND APPROVAL OR DENIAL OF PROPOSED REGULATIONS
CHANGES TO NEVADA ADMINISTRATIVE CODE, CHAPTER 284**

Action Item

A. LCB File No. R060-16

Sec. 1. NAC 284.204 Adjustment of steps within same grade.

Michelle Garton: Introduced herself as Supervisory Personnel Analyst for the Division of Human Resource Management's Consultation and Accountability Unit.

She presented a regulation amendment proposed for NAC 284.204 and LCB File No: R060-16. The first change to this regulation is in Subsection 1, which adds departments to clarify that a pay adjustment to resolve an equity issue is intended to be among positions in a particular department of agency and is not among positions across different departments or agencies.

The next change to this regulation removes the requirement for an appointing authority to ensure that an adjustment will not create an inequity. This is intended to allow departments or agencies to address difficult recruiting problems or higher a person with superior education and experience without being required to adjust the pay of a number of other employees which may not be fiscally feasible.

Next, department has also added, in Subsection 3, to clarify that the effective date of an adjustment of steps is approved by the Division of Human Resource Management, is the date that it is received by the Personnel Office of the department or agency or by the Division of Human Resource Management.

The final change to this regulation relates to the revocation of an adjustment of steps that was made due to a difficult recruiting problem. Paragraph B of Subsection 4 explains that such an adjustment of steps may be revoked when the employee changes positions to a different, within his or her current department or agency or a different department or agency where a difficult recruiting problem does not exist.

For example, an appointing authority may revoke an adjustment of steps when an employee transfers from Elko, where a difficult recruiting problem exists to Reno, where no difficult recruiting problem exists.

Chairperson Fox: Asked if there were any public comments. There was none.

MOTION: Motion to approve Item V-A, LCB File No: R060-16.

BY: Commissioner Read

SECOND: Chairperson Fox

VOTE: Motion passed unanimously

**VI. DISCUSSION AND APPROVAL OR DENIAL OF CLASS SPECIFICATION
MAINTENANCE REVIEW OF CLASSES RECOMMENDED FOR REVISIONS AND
ABOLISHMENT**

Action Item

A. Clerical & Related Services

1. Subgroup: Legal Support Services

a. 2.154 Legal Office Manager Series

B. Fiscal Management & Staff Services

1. Subgroup: Financial
 - a. 7.135 Accountant Series
2. Subgroup: Revenue Collections & Management
 - a. 7.223 Tax Manager
 - b. 7.263 Contributions Examiner Series
3. Subgroup: Personnel & Training
 - a. 7.507 Equal Employment Opportunity Officer
4. Subgroup: Actuarial/Research/Grants Analysis
 - a. 7.707 Chief Economist
 - b. 7.718 Executive Branch Economist
 - c. 7.719 Economist Series
- C. Medical, Health & Related Services
 1. Subgroup: Health Related Services
 - a. 10.222 Registered Dietitian Series
 - b. 10.243 Workers' Compensation Nurse Series
 2. Subgroup: Public Health Dental
 - a. 10.265 Dental Equipment Technician
 3. Subgroup: Health & Support Services
 - a. 10.340 Consumer Services Coordinator
 4. Subgroup: Environmental & Health Protection
 - a. 10.500 Deputy Administrator, Health
 5. Subgroup: Laboratory Services
 - a. 10.707 Chemist Series
- D. Social Services & Rehabilitation
 1. Subgroup: Employment Security Claims Examination & Placement
 - a. 12.144 ESD Program Chief
 2. Subgroup: Social Services
 - a. 12.368 Crime Victim Compensation Specialist
 3. Subgroup: Rehabilitation
 - a. 12.423 Client Assistance Specialist
 - b. 12.455 Rehabilitation Manager Series

Lisa Friend: Introduced herself as Personnel Analyst with the Division of Human Resource Management Classification Unit. She presented Item VI-A-1A, the Legal Secretary Series Class Specifications. In conjunction with the biennial class specification maintenance review project, this series was reviewed by subject matter experts in the various agencies utilizing the classes and agency human resource staff. It was determined that minor revisions be made to the class concept to better reflect common duties that may be performed by legal secretaries. Human Resource Management also recommended changes be made to the education and experience to maintain formatting consistency with other class specifications. We respectfully request your approval of the class specification, effective today.

Chairperson Fox: Asked if there were any public comments. There was none.

MOTION:	Approval of Item VI-A, Clerical and Related Services
BY:	Commissioner Read
SECOND:	Chairperson Fox
VOTE:	Motion passed unanimously.

Rachel Baker: Introduced herself as Personnel Analyst with the Division of Human Resource Management, Compensation, Classification and Recruitment Unit. She presented Item VI-B-1A on the agenda. The Accountant Series.

The class specification for Accountant was reviewed by Human Resource Personnel and subject matter experts, SMEs, at those agencies utilizing the classes. It was determined that the concepts minimum

qualifications and knowledge, skills and abilities are consistent with current expectations and no changes are necessary.

She also presented VI-B-2A on the Agenda, the Tax Manager. In consultant with SMEs from Taxation, Human Resource Management determined that the concept minimum qualifications and knowledge, skills and abilities are consistent with current expectations and no changes are necessary. A minor addition was made to the equivalent combination of education and experience for consistency in formatting.

Keisha Smith: Introduced herself as Personnel Analyst with the Division of Human Resource Management, Compensation, Classification and Recruitment Unit. She presented Item VI-B-2B on the Agenda. With regards to Item VI-B-2B, working with the subject matter experts, the Contribution Examiner Series classification specification was reviewed during this biennial class specification maintenance review. In conjunction with the Department of Employment, Training and Rehabilitation that utilizes this classification, it was determined that minor revisions be made to the class concepts and minimum qualifications to maintain consistency with formatting structure and language used. It is recommended that the class specification be revised with minor, non-substantial changes to the minimum qualification revisions were made by replacing federal regulations and state statutes with rules, regulations and laws within class level 2, to maintain consistency in the language used in all three class levels.

Rachel Baker: Stated, with regards to Agenda Items VI-B-3A, the Equal Employment Opportunity Officer, Human Resource Management recommends revisions be made to update the duty statements. The knowledge, skills and abilities were also updated accordingly. The minimum qualifications were revised to reflect standard verbiage used and to expand the type of relevant and acceptable experience.

Heather Dapice: Introduced herself as Supervisory Personnel Analyst with the Compensation, Classification and Recruitment section in the Division of Human Resource Management. She presented the recommendation for changes to the class specifications for the Chief Economist, Executive Branch Economist and Economist Series. This is Item VI-B4A, B and C on the Agenda.

In consultation with subject matter experts from various departments it was recommended that the Chief Economist be combine into the Economist series and the Economist IV be removed from this series, retitled to Executive Branch Economist and be placed into its own series. As a result, the duty statement for the Chief Economist Series were moved to the class concept with minor revisions to the duty statements of the combine class specifications and minor changes to the minimal qualification to account for these changes and to maintain consistency with formatting and structure.

The class concept for the Economist IV was combine with the previous duty statements to create the new series concept for the Executive Branch Economist. Minor revisions were made to the minimum qualifications to account for these changes.

Throughout the process, management within the affected departments participated by offering recommendations in reviewing changes as the process progressed. It is therefore recommended that the changes to these class concepts be approved effective this date.

Chairperson Fox: Asked if there were any public comments. There was none.

MOTION: Approval of Item VI-B, class specification changes for the Fiscal Management Staff series, Subgroup Financial.
BY: Chairperson Fox
SECOND: Commissioner Read
VOTE: Motion passed unanimously.

Rachel Baker: Presented Item No. VI-C-1A and B, the Registered Dietician and Workers Compensation Nurse Series. With regard to the Registered Dietician Series, in conjunction with the biennial class specification maintenance review and subject matter experts from the divisions within the Department of Health and Human Services, as well as the Nevada State Veterans Home that utilizes these classes, the Division of Human Resources Management recommends revisions to the series and class concepts to update and accurately describe the duties performed by incumbents and to reflect agency program changes.

The minimum qualifications of the levels have been modified to expand and clarify the type of relevant and acceptable experience required. Furthermore, the knowledge skills and abilities of the classes were updated accordingly and to maintain consistency in current formatting.

With regard to the Workers Compensation Nurse, Human Resource Management recommends that the series be abolished. During this review it was determined that there are no classified positions within state service for women within the Nevada System for Higher Education.

With regard to Item VI-C-2A on the Agenda, the Dental Equipment Technician. In consultation with the subject matter expert from the University of Nevada, Las Vegas, Human Resource Management determined that the concept minimum qualifications and knowledge, skills and abilities are consistent with current expectations and no changes were necessary. A minor addition was made to the equivalent combination of education and experience for consistency in formatting.

With regard to Agenda Item VI-C-3A, the Consumer Services Coordinator. In conjunction with the biennial class specification maintenance review and in consultation with the subject matter expert from the Divisions of Public and Behavioral Health, Human Resource Management recommends revisions be made to the concept to reflect changes to titles and division names. Additionally, revisions were made to update duty statements. A special requirement was added to require that an incumbent be a peer supporter at the time of the appointment. A peer supporter is a qualified individual who is currently or was previously diagnosed with a mental and/or behavior or health disorder and who possesses the skills and abilities to work collaboratively with and under the clinical and direct supervision of a qualified mental health professional.

Also, Human Resource Management recommends the addition of an informational note to reflect that the incumbent must have the ability to meet the qualifications of a qualified behavioral aide, as outlined in the medical services manual. In addition, minor modifications to the education and experience, as well as the knowledge skills and abilities were made to account for consistencies in formatting and structure and to recognize the type of knowledge, skills and abilities required to perform the duties of the position.

Regarding Agenda Item VI-C-4A, the Deputy Administrator, Health. Human Resource Management determined that with the merging of the Health Division with the Mental Health Services Functions of the Mental Health and Developmental Services Division, which resulted in the creation of the Division of Public and Behavioral Health. There was no longer a need for maintaining the Deputy Administrator, Health classification. Therefore, Human Resource Management recommends this classification be abolished.

Lisa Friend: Presented, Item VI-C-5A, the Chemist Series class specification. The class was reviewed by Department of Transportation, Department of Agriculture, BCN Human Resource staff and agency human resource staff. It was determined that minor revisions be made to the series concept to account for changes in verbiage used and duties performed by chemists. Human Resource Management also recommended changes be made to the knowledge, skills and abilities, to reflect what is required in order to perform duties outlined and maintained formatting consistency with other class specifications. We respectfully request your approval for these class specifications effective today.

Chairperson Fox: Asked if there were any questions. There was none.

MOTION: Approval of Item VI-C, Medical, Health and Related Services, Subgroups 1-5.
BY: Chairperson Fox
SECOND: Commissioner Sanchez
VOTE: Motion passed unanimously.

Heather Dapice: Presented Item VI-D-1A on the Agenda. The class specification for ESD Program Chief was reviewed by management and agency human resource staff at the Department of Employment, Training and Rehabilitation. It was determined that the concepts, minimum qualifications, knowledge, skills and abilities are consistent with current expectation. It is therefore recommended that no changes to the class specification are necessary at this time.

Rachel Baker: Concerning Item VI-D-2A on the Agenda, Crime Victim Compensation Specialist. In consultation with the subject matter expert from the Department of Administration Hearings Division, Victims of Crime Program, Human Resource Management determined that the concept, minimum qualifications and knowledge skills and abilities were consistent with current expectations and no changes were necessary. A minor addition was made to the equivalent combination of education and experience for consistency in formatting.

Moving on, in conjunction with the class specification maintenance review project conducted by Human Resource Management, it is recommended that Item 6D3A, Client Assistant Specialist be abolished.

During this review it was determined that this class was used primarily by the Department of Employment, Training and Rehabilitation, however there are currently no positions in this class within state classified service and there are no plans for the agency to utilize it in the future.

Heather Dapice: Presented the recommendation for the Rehabilitation Manager Series, VI-D-3B on the Agenda. The class specification for the Rehabilitation Manager Series was reviewed by management and agency human resource staff, the Department of Employment, Training and Rehabilitation. It was determined that the concepts, minimum qualifications, knowledge, skills and abilities are consistent with current expectations. It is therefore recommend that there are no changes to the class specification are necessary at this time.

Chairperson Fox: Asked if there were any questions. There was none.

MOTION: Approval of Item VI-D, Social Services and Rehabilitation, Specifically the Subgroup Employment Security Claims, examination placement for the EDS Program Chief, the Social Services Subgroup. Crime Victim Compensation Specialist, Rehabilitation Subgroup and Client Assisted Specialist and Rehabilitation Manager Series.
BY: Chairperson Fox
SECOND: Commissioner Read
VOTE: Motion passed unanimously

VII. DISCUSSION AND APPROVAL OR DENIAL OF INDIVIDUAL RECRUITMENT Action Item

- A. Tammy Moore, Accountant Technician 2
Department of Corrections, Ely State Prison

Chairperson Fox: Took this agenda item out of order per the request of Renee Baker. She explained the process that they would take and noted there might be questions. She also noted that all of the supporting documentation was in their binders.

Tammy Moore: Introduced herself and stated the following:

First I'd like to thank all of you for this opportunity. It's something that's kind of totally out of my realm. So, I have submitted several applications for Administrative Services Officer II at Ely State Prison. One at Ely State Prison and two elsewhere.

In 2012, I submitted my first application and it was denied. Due to the lack of a bachelor's degree and experience. I did make a phone call and ask the reason why and I spoke to the recruiter and I also spoke to Ms. Lee-Ann Easton. They stated that my experience, which at that time, I had approximately 14 years' experience in assisting and performing the duties of Administrative Officer. They stated my position now, as Accountant Technician2 did not qualify me as a professional and so all of my experience did not count towards the position.

They did re-evaluate my application. They did come up with a year for my education, which I do have education in that specific business management area. Then they also came up with an additional year for my total duties as Acting Administrative Services Officer.

After further discussion, we had talked about how many more years I needed to qualify. In our discussion, I was told a year—one more year and four months. So, I did not appeal to the next level. I, instead, the Administrative Services Officer was hired. I trained her to do her duties, as I acted as Administrative Services Officer for approximately a year before she was hired, only because the Administrative Services Officer was out on medical leave for about eight months. Warden Baker had asked me if I would consider assisting her and the facility as acting and I chose to do so.

Also in my conversation with the recruiter, I explained that I was Acting, quite a few times during leave, during medical leave, during the interim and the recruiter had asked me why did I do this since it was out of my duties as Accountant Technician2. I explained that I support Department of Corrections. I did it to assist and help and that I would not tell my Warden no. I was basically told I should've said, no and declined assisting.

I did train the Administrator of Services Officer 2. I trained the previous one before her. I trained the previous one before her. So, I've trained three Administrative Services Officers at that time to do their duties. Of course, I started in 1994, so things have changed in years. So, I assisted them. I was their right hand man. I learned everything that they did. I performed everything that they asked me to do, even though it was out of my duties as Accountant Technician2.

Recently, I applied for, I believe it was in February of this year for Administrative Services Officer 1 and an Administrative Services Officer 2. I was denied. I did make another phone call. I did go through the process. I chose to go to the—not only the second level, but this level here. That's why I'm here today is to pretty much support my decision on my appeal.

I have 22 years, well 22 ½ years with the Department of Corrections. I started out as a Management Assistant 2 or a Management Assistant 1 to the Administrative Services Officer in 1994, in January of 1994. At that time that I started, I was immediately trained on how to submit budget requests to the legislature and to the Department of Corrections. I assisted the ASO2 in preparation for all of the budget requests, right when I began employment.

From that time, the ASO had encouraged me to go further with my career and encouraged me to look at an Accountant Technician 2 as he felt the Accountant Technician 2 at our facility was right below him and in the future, I could probably qualify in his position when he left. So, I did. I took the classes. I pulled the specs. I did everything I could to get the position of Accountant Technician 2.

In 2001, I was appointed to that position. I continued to work with the ASO2. He did retire. There was

another one that was hired. I did assist him and I train him in his duties as the retired ASO taught me and helped me with everything so I could train the next one to go on and continue with his job. I did work with that ASO for quite some time, I believe around seven years. Side by side with him, doing the same thing I've been always doing, assisting, helping with budgets, helping with vehicle fleet, helping anything that he needed budgets, money, moving money, balancing money, reconciling, everything that he needed. After that, after he left, another ASO had come in and applied and I trained her. I think she only worked a year and then she went out on medical leave. I continued on with her duties and I worked for eight months as she was out on medical leave.

She then medically retired and I kept going until the announcement came open and I applied. I was denied and like I said, I did not go to the third level, this level here. I instead waited to get more experience. I had no idea how long this one was going to last. So, she did last until April of this year. Now at this time, I am now Acting Administrative Services Officer 2 for Ely State Prison.

Since I submitted my exhibits and I'm not going to go over that again because I'm sure that you've already read it. Since I submitted this a few weeks ago, I have since completed fixed asset reports for four institutions. I have gone through budget request submission training with our fiscal management. I have re-evaluated budget projections for our four institutions and when I say four institutions, I mean Ely State Prison, Ely Conservation Camp, Wells Conservation Camp and Pioche Conservation Camp. Like I said, I re-evaluated budget projections for the institutions and I have actually found unfortunately multiple errors. I have met with my Warden and I have explained those errors. We actually found money that no one knew we had because of the errors. We have been able to purchase things that we need at our facilities.

Finding those errors, I feel is from my experience of working side by side with who I feel was the best Administrative Services Officer when I started working at Ely State Prison. He taught me, everything I pretty much know.

I have also been assisting our budget analyst and helping her decide where we can move our money, within our categories, to best fit our institution. Actually gained a good rapport at fiscal management and I do have support from all of them.

I guess, there's really not much more I can say except for I have done the work, I have proven myself and I mean, anybody can make themselves look really good on paper and the degrees and things like that. I don't dock anybody that's received their degrees because it's hard, I know it's hard. But, I have done the work. I've performed the work. I have proven myself. I have done, I feel a fantastic job at assisting my Warden. I feel that my experience, even though Accountant Technician 2 is not a "professional" position, my experience of doing the job and exceling in the job, I qualify for this position.

I have been working for 22 ½ years. I plan on staying. Obviously. 22 ½ years is a long time. I plan on staying with the Department until I retire, maybe a little bit more after that, because I am not that old. So, that's why I'm here to support my appeal.

Chairperson Fox: Asked the Division of Human Resource Management to comment.

Kara Sullivan: Introduced herself as Personnel Analyst with the Classification, Compensation and Recruitment Unit for the Division of Human Resources Management. She stated:

I was the recruiter for the both the Administrative Services Officer 1 and 2 recruitments that Tammy Moore applied for and is appealing the denial of her application.

Per the job specifications, there are two ways to qualify for the Administrative Services Officer 1 level. Option 1, Bachelor's degree from an accredited college or university in business administration, accounting, finance

or related field and three years of varying professional experience, which included: formulating, developing and monitoring programmer agency budgets; analyzing and interpreting financial information and making recommendations; developing, evaluating or advising programs, organizations or work methods; and/or management responsibility for business operations such as contract and lease administration, purchasing and warehouse operations, buildings and grounds maintenance, food and laundry services, data processing, facilities maintenance and construction, communications equipment or fleet maintenance.

Option 2, an equivalent combination of education and experience on a year for year basis.

The Administrator Services Officer 2 level requires similar qualifications with an additional year of experience required, plus experience in the development, management and evaluation of a large and complex program and/or management of two or more business operations such as contract and lease administration, purchasing and warehouse operations and buildings and grounds maintenance.

Ms. Moore does not have a bachelor's degree, therefore we utilized Option 2, an equivalent combination of education and experience on a year for year basis. Meaning, for the Administrative Services Officer 1 level, Ms. Moore would need seven years of professional experience as previously described and eight years for the Administrative Services Officer 2 level.

Evaluation of Ms. Moore's application determined that she did not meet the required seven and eight years of professional experience as outlined in the minimum qualifications. She was credited for 30 college credits giving her a year of the required experience. She was also credited for her time as an Acting Administrative Services Officer which gave her an additional year of experience for a total of two years, leaving her short five years of the required professional level experience for the Administrative Services Officer 1 level and six years short of the required experience for the Administrative Services Officer 2 level.

This appeal is based on the applicant's opinion that her experience an Accountant Technician2, Grade 32, should be considered as professional level qualifying experience. Per the class specifications, duties performed by Account Technicians are not professional level and instead are technical in nature. Technical accounting functions involve duties such as payroll, recording financial transactions, posting debits and credits and maintaining balances. Account Technicians reconcile and monitor specific accounting and fiscal functions, establishing or using established procedures and guidelines. Reconciliation includes balancing departmental records with reports generated by the State's Central Accounting System, as well as Federal and other accounting systems. Monitoring includes ensuring accounting functions and activities are in compliance with reporting requirements and grant specifications. Account Technicians assist management in the preparation of budgets by coordinating with various sections to ensure budget requests are received and reviewed in a timely manner.

Ms. Moore's experience, as documented on her application, as an Accountant Technician 2, Grade 32 included: assisting the Administrative Services Officer with justifications for proposals; submitting budget requests for approval by the Administrative Services Officer; reconciliation of budget reports; submitting payroll errors; preparation of travel forms and making travel arrangements; and, records maintenance.

The majority of duties Ms. Moore represented on her application as an Accountant Technician 2 reflect she's assisting management and performing account maintenance duties. The duties are technical in nature and would not be considered professional level.

Examples of professional level duties would include: oversight of cost allocation systems; budgetary and fiscal oversight, including forecasting future expenditures, preparing federal accounting reports, contract development including fiscal oversight and negotiations and administration; and implementation of internal control procedures. Professional level duties require the incumbents make independent determinations and

recommendations on administrating fiscal and budgetary matters.

Based on the before mentioned information, experience as an Accountant Technician 2, Grade 32, cannot be credited toward the required five and six years of experience, as the minimum qualifications for the Administrative Services Officer 1 and 2 levels, Grades 37 and 39, require professional level fiscal management experience. Typical progression to gain qualifying experience from the Accountant Technician series, to the Administrative Services Officer series would include advancement to the Accountant, Management Analyst or Budget Analyst series. These professional level positions help applicants gain the qualifying experience needed for the Administrative Services Officer level, as this series essentially functions as business managers and Chief Financial Officers for divisions and departments.

For these reasons, the Department respectfully requests the denial of the appeal.

Chairperson Fox: Asked for any public comment on this item.

Renee Baker: Introduced herself as the Warden for Ely State Prison. She stated: As I said earlier, I'm here in support of Tammy Moore's appeal for denial of Administrative Service Officer.

Obviously I agree with everything that Tammy mentioned today. What I'd like to first mention is, touch on, and I'm sorry but I forget her name but what she said regarding the professional experience. I know the typical, I guess, progression would be to a Management Analyst or Budget Analyst, well, unfortunately, we don't set people up in the Department to do that, especially if you're at Ely. I think we're all aware of it's really hard to recruit in Ely. I'm not asking for exceptions because it's Ely. That is by no means what I'm asking.

I'm asking to look at what the person does. How many years does it take assisting someone before those years, at least a percentage of those years qualify, gives them percentage towards a year of qualification? We do that in every series you have a progression for Clerical Trainees up to AAs. We even have AA4s that can go over to classification, based on them working in law libraries. We have the series for Correctional Officers, the hierarchy, you can even jump some of those series. I understand, its state service, but as Administrative Service Officers in every state agency does do a little bit of different things. And so, typically at an institution, the Accountant Technician supports. Just like an Associate Warden supports a Warden, after so many years of an associate warden, you can qualify for a warden because you've assisted in those duties.

She has assisted for 15 years. I've been the Warden for five years at Ely State Prison, this is my fourth recruitment. Or third, fourth. So, how long does she have to keep training someone and gaining that experience before that experience counts? It clearly says, assisting. Again, in every classification in a state agency, you assist the person above you. That's why it says combination or experience and/or education. Obviously if you don't have the education it takes that many more years of experience, 15 years.

Again, that's the beauty of state service. People can come in the door at an entry level and work their way up. I did. I came in as a case worker, made it to Warden. Granted, it might not have taken me as long, I had some education, but there's many people it just takes longer. 22 years dedicated to state service, in Ely to boot. We don't get that in Ely. We do not get that years of service in Ely, Nevada.

As we all know, the critical labor shortage, and I know that's with officers, but it's just as hard sometimes to recruit non-custody positions. Because of the level we expect people to be at and we can't attract that in Ely. Obviously, this is my fourth recruitment and Ms. Moore has sat in every time and for someone to say to her, well you should tell your Warden no, I think we all know in state service, people act. What do you do, let your budget fall? I mean we're allowed to do that. People can act in those positions, but at what point do we reward that person for 22 years of state service, 15 in the same position, supporting every administrator

out there. Whether it was me as the Warden, the previous Warden, previous Administrative Services Officers.

What bothers me is the professional experience. Everything she has on her application is what she does. Had she done that in the private sector, I don't think anyone would question that application. They would say, she qualifies, because they wouldn't know what exactly professional/technical in the private sector. I can tell you from experience, with my last business manager, that's exactly what it was. She came from a different service, knew nothing about state service. Didn't know how to build a budget in state service. Knew nothing about the Department of Corrections. They stamped her as approved because she listed she did all these things. And maybe she did, but when she came in, she didn't know a third of what this person sitting over here knows and she had to train her. Guess what, that person is gone now. She actually took a voluntary demotion to go to Vegas. She doesn't want to be in Ely. So, once again, Tammy steps in.

So, I mean, I could go on and on and I know it comes down to black and white and I get that. I'm not asking to change policies. I'm not asking for that. I know about policy, working for the Department of Corrections. I'm not asking for a policy change. I'm asking to really look at what she's done. She's done the job. I'm obviously here to vouch for her, or I wouldn't have come. I mean, it's very difficult to recruit in Ely. I'm tired of replacing administrative—all levels, let alone administrative levels. I think it's time the state looks at someone who is dedicated to the Department, to her job, to the actual facility. It is unique at Ely. I am also supervising three camps. She's right when she said she found errors.

The Department of Personnel mentioned that experience says responsible—actually in the ASO series it says, experience, it says, responsible for accounting or fiscal management. Well, if you look at accounting specifications, it says they're responsible for accounting duties. Well, it says the ASO is responsible for accounting. It also says in the Account Tech that they supervise. They supervise lower level Accountant Technicians, Accounting Assistants and Clerical. Management of two or more business operations, such as contracts. Well, the business manager at Ely is really obviously busy, three budgets to manage. So, historically contracts have been a part for the Accountant Technician to monitor. In all honesty, the actual negotiating of those contracts is done in Fiscal Office over in Central Office for the Department of Corrections but they manage it at the institution. It also says, two or more business ops which includes purchasing, warehouse. I had a new warehouse supervisor, I was losing thousands of pounds of meat. Tried to reject somebody because they didn't know what they were doing in the warehouse. So, guess who I put down there for over a year, to get that warehouse back. It was Ms. Moore. So, there's warehouse experience she has. She ran my warehouse.

It also says, two or more business ops such as data processing. Well, we say that a business manager is professional, no disrespect to data processing, but how professional is data processing?

So, again, you can tell I'm passionate about this. She's a great employee. Again, I'm not asking for change in policy. I'm not asking to say, oh well let this one go. That's not what this is about. That's why we are before you and we respect your opinions. It's a tough call, I know, but I just think at some point, how many years, 15 years, acting at different times, filling in, supporting that person, just like all our people underneath us support us. As good managers, we train the people underneath us to be able to do that job when we're gone. That's what every business manager has done for this woman. Then we're still faced with, we can't put her in there.

So, I just ask that you really take a good look at it and see that those 15 years assisting someone, has to count, at least. I mean, even if it was half of it, it would be seven and a half years. If half of the time they're assisting.

So, anyways, that's all I have. I really do appreciate your time and hope that you will reconsider.

Chairperson Fox: Asked for additional public comment, there was none. She asked for questions from

Commissioners.

Commissioner Mauger: Asked for confirmation that she had 22 years of services and the position she is requesting is for a permanent position. **Tammy Moore:** Confirmed.

Commissioner Mauger: Asked if Ms. Moore felt qualified for the position based on the requirements of this State. **Tammy Moore:** Stated she did.

Commissioner Sanchez: Asked how much formal education Ms. Moore had. **Tammy Moore:** Stated, she has 30 college credits towards Business Administration. Most of them are in accounting, financial accounting.

Commissioner Sanchez: Asked from which college. **Tammy Moore:** Stated, Great Basin College in Ely.

Commissioner Sanchez: Asked if Ms. Moore planned on continuing her education. **Tammy Moore:** Stated that was a good, hard question. She gave a bit of her background and her choices. She stated she felt that continuing her education would not better her in her position given the amount of experience she has.

Commissioner Sanchez: Asked if another position for an ASO1 or 2 was opened in another agency or department, would she apply. **Tammy Moore:** Stated that she plans to stay in Ely. She also noted that if she didn't qualify for Ely, she wouldn't qualify for another department.

Commissioner Spurlock: Asked Mr. Peter Long to refresh his memory and provide some history and how that history might be applicable to this situation. He further asked that Mr. Long explain any concerns with setting a precedent. **Peter Long:** Confirmed that several years ago there was an audit by the Legislative Commission on recruitment practices that were specific to fiscal classes. He explained that there was that they were accepting lower level experience and not being strict enough on qualifying applicants for both professional level and manager level fiscal positions. The Legislative Auditors actually wanted a requirement that someone have at least a Bachelor's and preferably a Master's in Business Administration before they be allowed to enter the Manager-type level of fiscal classes.

Their concern was, with the amount of money that this state gets in through the General Fund, through grants etc., and the amount that goes out that they really want qualified people monitoring these accounts, building the budgets for them, etc. If you can imagine like at Taxation or Department of Health and Human Services where billions of dollars flow through those accounts, even a small error can be significant.

We actually implemented written testing for all of the fiscal classes based on that audit, which we still continue. So, we have been extra cautious on reviewing experience and putting them into both professional level, but particularly management level fiscal classes.

And as Ms. Sullivan pointed out, there is a career ladder for these type positions. You go from the technical to the professional in the accounting type fiscal classes, it would be to an Accountant, a Management Analyst, a Budget Analyst etc., before you move into a high level management position. To go from a 32 to a 37 or a 39 is not typical in any job series in state service. That would be precedent setting.

Also, if you were to say that an Accountant Technician, Technical Level Series qualifies for this then I think we would have a difficult time, defending in the future any other Accountant Technician 2s that think they qualify. Or even Accountant Technician 3s, Grade 34, we would have a difficult time saying that they didn't qualify for managerial type classes.

Commissioner Spurlock: Provided some examples to explain that sometimes people in lower positions and lower salary grades often times are explaining and training other positions that may be outside of the scope of their position but within the realm of the department.

Commissioner Read: Asked when the last time coursework was completed. **Tammy Moore:** Stated 2009.

Commissioner Read: Asked why she didn't continue taking credits. **Tammy Moore:** Explained some life challenges and decisions made that didn't allow for the continuation at that time.

Commissioner Read: Noted that he feels she would be much stronger in this appeal had she continued the education. He further noted, he doesn't feel that the roadmap for the position has been followed. He asked that she continue her education. He also expressed appreciation for her service to the State.

Chairperson Fox: Asked if the current vacancy was for Administrative Officer 1 or 2. **Tammy Moore:** Stated for a 2. **Chairperson Fox:** Asked if the position was vacant. **Renee Baker:** Asked to comment. She noted she has not opened the position yet. **Chairperson Fox:** Asked when the position was opened. **Renee Baker:** Stated that the previous person left in April.

Chairperson Fox: Asked Ms. Kara Sullivan, without doing an audit, is the Administrative Officer Job Class the proper job class for the work that's being performed in Ely. **Kara Sullivan:** Noted that generally that was true, based on the program in fiscal oversight, however, she has not studied the position and says that with caution.

Chairperson Fox: Asked if Ms. Moore was currently getting 'acting' pay. **Tammy Moore:** Stated she has never received 'acting' pay. **Renee Baker:** Added that in the Department of Corrections, they've never been allowed to pay 'acting' pay. **Peter Long:** Explained that In order to be acting, there's no review done by HR. They can put anyone in to that position that they choose to. There's no evaluation of minimum qualifications, etc., to be in an acting position. Also, there is a regulation that allows for someone who is working out of class to be paid an additional 5% above their salary, but that regulation was suspended by Governor Gibbons when we had financial difficulties and it's still suspended. If Ms. Moore was advised that she shouldn't do that, I have my doubts that one of my analysts would say that but I'm not challenging Ms. Moore, it would've been more in the context that you're not going to be compensated for it.

Chairperson Fox: Asked for clarification that 3-4 recruitments for the position of ASO have been completed. **Renee Baker:** Stated that was correct.

Commissioner Mauger: Noted he would like to make an observation. This individual is currently filling the position of ASO2, acting. He would assume that she met the criteria to be appointed to that position, because when you get that position whether you're acting or not, you're making the decisions associated with that position. He finds it really difficult that, I'm good to act it, but I'm not good to get it. The denial letter is one of the most extensive denials that he's seen, in the short period of time I've been on here. He believes what you're afraid of here is to not set a precedent, but you do judge each case on its own merits and those changes or upgrades, whatever, always come before us. If the merits determine that it doesn't, then it's not usually approved. He has a hard time putting his hands around the fact that she's currently doing the job but not qualified to get the job. It doesn't make sense to him and he doesn't agree with it.

Commissioner Spurlock: Stated he's seen agencies that struggle with that. It varies from agency to agency. On Tab 7, Page 155, the third paragraph down, the second whole paragraph. It says, the applicant was credited for one year of experience based on college course work and an additional year of experience for her time as the Acting Administrative Services Officer, for a total of two years' experience. The acting time was verified with the Department of Corrections. So, my understanding is, she has been towards the bucket, the total for this experience needed to determine minimum eligibility for the ASOs, we have given her credit for that acting experience, have we not? **Kara Sullivan:** Confirmed they were able to confirm acting time with the department and their practice is to credit that experience.

Commissioner Spurlock: Asked for clarification that they did give her credit for the acting time, it just didn't add up to the necessary requirement. **Kara Sullivan:** Confirmed.

Tammy Moore: Asked about the testing requirements for an Administrative Services Officer Series and the Accountant Technician Series. She noted it was the same test for both positions. **Peter Long:** Clarified that it is the same test for the entry level exam. The Administrative Services Officer has a second part to the exam that they must take that is based on experience at certain levels and experience.

Chairperson Fox: Asked for public comment. **Renee Baker:** Stated, I just want to add, I totally agree with Mr. Read. I understand with more education we probably wouldn't be sitting here today. I understand its choices, however, every state—I'm almost sure every—I haven't read every single one says, combination of education and/or experience. There's Wardens—again, I know it's totally different classifications that don't have education that make it up to a Warden. So, again, at what point do the years in service assisting count at? I understand she's gotten some credits for acting, I get that. But where do the credits come in for the years performing that job? And I get we can't change what positions are at Ely and that, the progression as a Management Analyst or Budget Analyst, whatever it is to get to the Business Manager, we can't change that. Nobody is going to give me that position at Ely and reclassify the Accountant Technician. I get that. Our Budget Analysts are in Central Office. Now you have a person who, again, doesn't want to make the life choice to reroute her family and move—leave her house in Ely and wants to stay committed to Ely and the Department of Corrections at Ely State Prison and in some respects she's penalized for it. Yeah, if she would've went and got her education, that would've accounted for more, but how many years does it take to override that education? I guess that's the bottom line that I am coming to, because again, I don't expect you to change anything.

Chairperson Fox: Noted, from her human resources perspective, there is a significant difference in her mind between technical level experience and professional level experience that using payroll technicians is an example. At the technician, it's about reconciling pay and making sure employees are paid timely with all the special pays and shift differential and other time considerations that follow the law. But, a Payroll Manager with a Bachelor's Degree in Business Management, its professional level experience managing payroll activities for an organization, which broader and professional level experience that typically requires a Bachelor's Degree. I do see distinctions between technical level experience and professional level experience. I agree with Commissioner Spurlock about that. There are differences there.

Chairperson Fox: Asked for additional comments.

Commissioner Sanchez: Noted, what is appearing before them today is the qualification of an applicant and the issue centers around equivalency. This is something he's struggled with as an HR Professional. Here we're talking about a college degree and the equivalence of experience. The rigors of academic classes and certain degrees require written papers to be done, presentations to be made, group activities, critical thinking, library research experience, etc. I teach online classes as well and so employees can continue their education without going to an on-ground campus. I have to agree with Commissioner Spurlock, I also teach in a nursing program. Nurses are nurses and you can't change that. But when we're dealing with certain classifications that require college degrees are very specific and very technical. Others may not be. So, we got to take these issues on a case by case basis, these jobs. We should not, as a Commission, use this as an emotional issue, for a long-term employee and we should not consider an issue as rewarding employees. Rather, we need to look at this as making a decision in an HR operation issue. I think the vision of human resources management has made a compelling argument to deny this particular Appellant.

Chairperson Fox: Asked for additional comments.

MOTION:	Denial of the Appellant, Ms. Moore, for this particular appeal.
BY:	Chairperson Sanchez
SECOND:	Commissioner Read
VOTE:	Motion passed 4-1. Commissioner Mauger voted for approval.

VIII. REPORT OF UNCONTESTED CLASSIFICATION CHANGES

Postings: #19-16, #20-16, #21-16, #22-16, #23-16, #24-16, #25-16, #26-16, #27-16, #28-16, #29-16, #30-16, #31-16, #32-16, #33-16, #34-16, #35-16, #36-16, #37-16.

Chairperson Fox stated that no action was required on the part of the Commission.

IX. DISCUSSION AND ANNOUNCEMENT OF DATES FOR UPCOMING MEETINGS

Chairperson Fox stated that the next meeting is certain for September 30, 2016. The next meeting would be in December 09, 2016.

X. PUBLIC COMMENT NOTICE: Read into record by **Chairperson Fox**

No vote or action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken.

Chairperson Fox: Asked if there were any public comments. There were none.

X. ADJOURNMENT

Chairperson Fox: Adjourned the meeting.